

STAFF REPORT

SUBJECT: Modification of the SJCOG Conflict of Interest Code to Amending the List of Designated Positions

RECOMMENDED ACTION: Motion to approve the Conflict of Interest Code Designated Positions as noted in Attachment A

SUMMARY:

Government Code Section 87306.5 requires every local government agency to review its conflict of interest code biennially to determine if it is accurate and up-to-date or requires amendment.

In reviewing the San Joaquin Council of Governments' (SJCOG) Conflict of Interest Code, it is apparent that an amendment is necessary. This amendment involves revising the title of an employee from Public Information Officer to Senior Communications Officer.

The changes necessary to update SJCOG's Conflict of Interest Code are attached to the staff report as Appendix A: (1) Deletion of Project Manager, and (2) Title of Public Information Officer to Senior Communications Officer.

RECOMMENDATION:

Approve attached resolution adopting the San Joaquin Council of Governments' Conflict of Interest Code Designated Positions as noted in Attachment A.

FISCAL IMPACT: None

ATTACHMENTS:

- (A) Appendix A: Individual Designated Positions for 2018-19
- (B) Disclosure Categories
- (C) Resolution R-19-10

SAN JOAQUIN COUNCIL OF GOVERNMENTS’
APPENDIX A
DESIGNATED POSITIONS

<u>Designated Positions</u>	<u>Disclosure Categories</u>
Directors of SJCOG	ALL
Executive Director	ALL
Deputy Executive Director/Chief Financial Officer	ALL
Deputy Director of Transportation Planning, Programming and Project Delivery (Formerly Deputy Director)	ALL
Manager of Administrative Services	ALL
Project Manager	ALL
Habitat Conservation Program Manager	ALL
Senior Regional Planner	ALL
Senior Program Specialist	ALL
Senior Communications Officer (formerly Public Information Officer)	ALL
Associate Regional Planner	ALL
Associate Habitat Planner	ALL
Associate Program Specialist	ALL
Assistant Regional Planner	ALL
Assistant Habitat Planner	ALL
Assistant Program Specialist	ALL
Chief Accountant	ALL
Information Technology Manager	ALL
Information Technology Technician	ALL
Planning Technician	ALL
Consultants*	ALL
Attorneys	ALL

*Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadcast disclosure category in the code subject to the following limitation: The Chair of the Board may determine in writing that a particular consultant, although a “designated positions,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such a written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Chair’s determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

DISCLOSURE CATEGORIES

1. All investments and business positions in business entities, and all sources of income and interests in real property. This category is known as full disclosure.
2. Investments in or income from persons or businesses engaged in the business of providing services or supplies, including, but not limited to, equipment, machinery, or office supplies, to the San Joaquin Council of Governments, or could foreseeably provide services or supplies to the San Joaquin Council of Governments.
3. Interests in real property located in whole or in part within the boundaries of the San Joaquin Council of Governments, or within a two-mile radius of the San Joaquin Council of Governments, including any leasehold, beneficial or ownership interests or option to acquire such interest in real property if the fair market value of the interest is greater than \$2,000.00.
4. Business positions, including, but not limited to, status as a director, officer, sole owner, partner, trustee, employee, or holder of a position of management in any business entity which, in the prior two years has contracted with, or in the future may contract with, the San Joaquin Council of Governments to provide services or supplies to the San Joaquin Council of Governments.



RESOLUTION
SAN JOAQUIN COUNCIL OF GOVERNMENTS

R-19-10

**RESOLUTION ADOPTING THE SAN JOAQUIN COUNCIL OF
GOVERNMENTS' AMENDED CONFLICT OF INTEREST CODE**

WHEREAS, the San Joaquin Council of Governments (SJCOG) is a Joint Powers Authority pursuant to State of California statute; and

WHEREAS, pursuant to Government Code 87306.5 each local government agency must review its Conflict of Interest Code on a biennial basis and either amend the code, if necessary, or report to its respective code reviewing body that the code is not in need of amendment;

WHEREAS, the SJCOG Conflict of Interest Code has been reviewed and requires amendment.

NOW, THEREFORE, BE IT RESOLVED that the attached Appendix A designating officials and employees and establishing disclosure categories have been reviewed and amended and shall constitute the disclosure categories and the list of designated employees of the Conflict of Interest Code of the San Joaquin Council of Governments, and

BE IT FURTHER RESOLVED that designated employees shall file their statements with the Manager of Administrative Services of the San Joaquin Council of Governments, and such statements are available for public inspection and reproduction; and

BE IT FURTHER RESOLVED that statements for all designated employees shall be retained by the San Joaquin Council of Governments; and

BE IT FURTHER RESOLVED that persons holding designated positions shall file a Fair Political Practice Commission Form 700, or such other form as may be prescribed.

PASSED AND ADOPTED by the Board of Directors of the San Joaquin Council of Governments, at a regular meeting held on October 25, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ROBERT RICKMAN
Chair